

Rulings on Iddah in Islamic Sharia: A Jurisprudential Study

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Abstract

This jurisprudential study delves deeply into the multifaceted concept of Iddah in Islamic Sharia, contributing to a comprehensive analysis of its historical development, legal framework, ethical implications, and contemporary relevance. Iddah, also referred to as the waiting period, is a central component of Islamic family law, which ensures that a variety of family-related situations, including divorce, widowhood, and the possibility of reconciliation are placed under some regulations in accordance with Islamic Sharia. The research explores the historical setting of Iddah, drawing its origins in the Quranic revelations and its subsequent development through Hadith, among other scholarly interpretations. It examines the Quranic verses that apply to Iddah and the various Hadith that shed light on its crucial role that preserving the dignity and rights of women, ensuring that they are protected and provided for during the critical, vulnerable, and intimidating moments of their lives. A substantial portion of the study outlines the specific circumstances that are involved in an Iddah period. These include divorce, the death of a spouse, and dissolution of marriage, and under these circumstances, there are discussions about the diverse requirements and periods of Iddah for each case. The moral and legal obligations imposed on both parties involved during the Iddah duration are precisely examined, emphasizing the responsibility of the husband in providing financial support and the welfare of the woman during this waiting period. Furthermore, the study critically examines contemporary issues and interpretations of Iddah in the modern Muslim world. It addresses matters such as women's empowerment, gender equality, and the dynamism in the roles of women in society. It continually explores the possibility of reforms and adaptations in Iddah rulings to ensure they align with evolving social and legal standards while protecting the principles of justice, fairness, and the protection of women's rights in the Islamic context. This in-depth analysis of Iddah in Islamic Sharia not only sheds light on its historical and contemporary significance but also offers a stage for significant discussions and thoughtful reflections on how these legal and ethical principles can adapt and evolve to better serve their intended purposes in a dynamic society. Subsequently, it indicates the importance of preserving the fundamental principles of justice and gender equality within the framework of Islamic jurisprudence and ensuring it meets the various needs of Muslim communities globally.

Keywords: *jurisprudential study, Iddah rulings, Quranic verses.*

1. Introduction

Praise be to Allah, who has sent down the Book to His servant and has not made therein any crookedness. And peace and blessings be upon the Prophet Muhammad, may Allah bless him and his family and companions, the prophet of guidance who guided the

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Ummah (community) from misguidance (Ridha, M. R., 1990). Through what was revealed to him, he clarified the rulings of the Quran, its guidance, directives, and instructions, leaving us on a clear path. His honorable companions took charge after him, following his guidance, walking in his path and his way in implementing rulings; their actions preceded their words. Jurists have clarified all matters and rulings mentioned in the Quran and Sunnah, and have included what has come from the Messenger, may Allah bless him, and from the companions and successors, regarding their explanations, rulings, and directives. Among the rulings whose details are mentioned in the Quran and Sunnah, and elaborated by the jurists, are the rulings of Iddah (waiting period). Scholars have widely differed on the concept of Iddah, some of its issues, and whether the verses relating to Iddah are focused on a single subject or vary. Hence, this study examines Iddah, its types, and its jurisprudential rulings (Razali, M., Hadigunawan, N., & Jamil, A. N., 2020).

1.1 Research Problem

The research problem is summarized around answering the key questions related to the issue under study, most importantly. What is the concept of Iddah and what are its types? What is the Iddah for a divorced woman who menstruates? What is the Iddah for a divorced woman who does not menstruate due to her young age or old age? What is the Iddah for a woman whose husband has passed away, whether she is pregnant or not? What are the rulings on residence and maintenance for the divorced woman?

1.2 Importance of the Research

This research clarifies and illuminates the jurisprudential rulings related to Iddah, which many people encounter.

1.3 Objectives of the Research

- Explanation of the concept of Iddah.
- Relaying the statements of jurists related to the subjects and issues of Iddah.
- Discuss the method of observing Iddah, along with presenting the scholars' opinions on it.

2. Research Methodology

The approach followed in this research combines the inductive and analytical methods, adhering to the following guidelines. Collection of Quranic verses that include Iddah and the consequent rulings, their study, and categorization into topics and demands. Presentation of the opinions of jurists regarding Iddah and the related rulings. Weighing the statements according to the evidence. Compilation and specification of the rulings concerning Iddah, followed by an in-depth study of these rulings. Contradictory opinions can be weighed, referring to the statements of jurists, attributing these opinions to their sources. Citing Hadiths included in the research, mentioning the book, part, page, and Hadith number. Explanation of terms that require clarification to make the meaning easily understandable to the reader.

3. Literature Review

3.1 The Meaning and Types of Iddah

The term "Iddah" linguistically comes from the root word for counting or numbering ("Adada"). In this context, it refers to the period of waiting a woman observes after her husband's death or divorce. The linguistic meaning emphasizes counting or enumeration, making it clear that the term pertains to the period following either the demise of the

spouse or a divorce. The definition of Iddah in Jurisprudential terminology can be discussed in different ways according to different Muslim scholars (Al-Fāsī, M. A., 1993). According to Hanafi Jurists, it is a mandatory waiting period that a woman must observe when the conditions for it exist. According to Maliki Jurists, it is defined as a period during which marriage is prohibited, whether this is due to the annulment of the marriage, the husband's death, or divorce. According to Shafi'i Jurists, it is the period in which a woman waits to ascertain the state of her womb (i.e., whether or not she is pregnant). According to Hanbali Jurists, it is defined as a legally prescribed period of waiting. From a review of the definitions provided by the various schools of Islamic jurisprudence, it appears that "Iddah" is a period during which marriage is prohibited, whether due to the annulment of the marriage, the death of the husband, or divorce (Salleh, F., Sahari, N. H., Ab Manan, S. K., Abdullah, C. Z., & Yahya, Z., 2020).

There are many types of Iddah such as for the Widow: types This woman is required to observe 'Iddah unconditionally, whether or not the consummation of the marriage took place. For the Divorcee: The 'Iddah period is obligatory only if consummation has occurred, and both the husband and wife are of legal age and capable. Even secluded time spent together in the absence of consummation is considered. Both husband and wife's denial of consummation is accepted if it is their right to deny it. During the 'Iddah, there is no "raj'ah" (return) for the husband, nor is there any "nafaqah" (financial maintenance) for the wife. The wife is entitled to only half of the "mahr" (dower) that was agreed upon during the marriage contract. For the Pregnant Woman: Her 'Iddah is concluded with the delivery of her entire pregnancy or its miscarriage, even if what is miscarried is an "alaqah" (blood clot). This rule applies to both divorced women and those whose husbands have died. Even moments after the husband's death and before his burial, the 'Iddah for the pregnant woman ends with the passage of four lunar months and ten days following the death of her spouse (Saadah, C., 2022).

3.2 The 'Iddah for Divorced Women Who Menstruate

Allah says, "O Prophet, when you [Muslims] divorce women, divorce them for [the commencement of] their waiting period and keep count of the waiting period, and fear Allah, your Lord. Do not turn them out of their [husbands'] houses, nor should they [themselves] leave [during that period] unless they are committing a clear immorality." Upon examining the interpretation of this verse, it is understood that women should be divorced while they are in a state of ritual purity in which no sexual intercourse has occurred. Then they should be left alone until their 'Iddah period is completed. In this condition, they have been divorced according to their 'Iddah. Allah says, "And keep count of the waiting period," meaning, keep track of the time the divorce occurred to calculate the waiting period accordingly (al-Hamawi, Y. A. R., & Mu'jam al-Adibbâ, B., 1993).

From the foregoing, it becomes clear that the 'Iddah for a divorced woman who menstruates is three menstrual cycles. This is based on the words of Allah: "Divorced women remain in waiting for three periods (Quru'), and it is not lawful for them to conceal what Allah has created in their wombs if they believe in Allah and the Last Day" (Nasir, J. J., 2002). Abu Ja'far al-Tabari said there is a difference of opinion among the scholars regarding the interpretation of Allah's words, "Divorced women remain in waiting for three periods (Quru')." Some say it refers to menstruation, while Ibn 'Abbas stated it means three menstrual cycles.

Al-Hafiz Ibn Kathir stated regarding the meaning of 'Iddah (the waiting period) here, he said: "This command from Allah, the Exalted, for the divorced women who have had intercourse and are of those who menstruate, is that they must observe a waiting period of three menstrual cycles (Quru'). That is, each of them should remain unmarried after her divorce for three menstrual cycles, and then she may remarry whenever she wishes. The four Imams have excluded the female slave from this general rule; according to them, if she is divorced, she observes a waiting period of two menstrual cycles. This is because

she is considered to be half that of a free woman, and since a menstrual cycle (Qur') cannot be divided, she completes two menstrual cycles." The consensus on this matter has been reported by Al-Marwazi and Ibn Hazm (Kasim, F. M., Nurdin, A., Muthalib, S. A., Syarifuddin, S., & Samad, M., 2022).

3.3 The 'Iddah (Waiting Period) of a Divorced Woman Who Does Not Menstruate Due to Her Young Age or Advanced Age

Allah the Almighty says: "And those of your women who despair of menstruation" Imam Al-Baghawi mentioned that Muqatil said: When the verse "And divorced women shall wait (as regards their marriage) for three menstrual periods" was revealed, Khalid bin Al-Nu'man Al-Ansari asked the Messenger of Allah, "What is the 'Iddah of women who menstruate, those who do not, and the 'Iddah of pregnant women?" Allah then revealed: "And those of your women who despair of menstruation, if you doubt, their prescribed period shall be three months, and the same applies to those who have not menstruated yet. And for those with child, their period shall be until they deliver their burdens: and whoever fears Allah will find ease in his matter" (Hilal, S., & Harahap, S. M., 2021).

The verse refers to post-menopausal women who have ceased menstruation. "If you doubt" means if you are uncertain about their status. And "those who have not menstruated yet" refers to young girls; their 'Iddah is also three months (Muhammad, R., 2016). As for a young woman who used to menstruate but has ceased before reaching menopause, the majority of scholars are of the view that her 'Iddah is not complete until her menstruation returns, and she counts three menstrual cycles, or until she reaches menopause and then waits for three months. This view is held by Uthman, Ali, Zaid bin Thabit, and Abdullah bin Mas'ud, and was also mentioned by Ata, Al-Shafi'i, and the People of Opinion (Ahl al-Ra'i). It is also reported that Umar (may Allah be pleased with him) believed that such a woman should wait for nine months. If she does not menstruate, her 'Iddah is three months. This is the position of the majority of jurists. Hasan Al-Basri said she should wait for a year; if she doesn't menstruate, then her 'Iddah is three months. Ibn Hazm, Ibn Al-Arabi, and Ibn Rushd have all reported a consensus on this issue, especially regarding the 'Iddah following divorce.

3.4 Rulings Concerning the 'Iddah of a Woman Whose Husband Has Passed Away, Whether Pregnant or Not

Scholars have reached a consensus that 'Iddah is obligatory for a woman whose husband has passed away, whether the marriage was consummated or not, for the following reasons: Allah Almighty says, "And those of you who are taken in death and leave wives behind - they [the wives] shall wait four months and ten days" (Quran, Surah Al-Baqarah, Verse 234). Hafsa bint Umar, the wife of the Prophet (peace be upon him), narrated from the Prophet (peace be upon him) who said, "It is not permissible for a woman who believes in Allah and the Day of Judgment to mourn (Ihdad) more than three days for any deceased except her spouse; for him, she observes an 'Iddah of four months and ten days (Hamidah, T., Najah, I., & Maghfirah, W., 2020). By 'Ihdad, it is meant that she should not use perfume, wear dyed clothes, use saffron, apply kohl, or adorn herself. Consensus (Ijma) has been reported on the obligation of observing 'Iddah for a woman whose husband has passed away, whether the marriage was consummated or not, as mentioned by Ibn Mundhir and Ibn Hazm.

3.5 The Waiting Period ('Iddah) for a Pregnant Woman Whose Husband Has Passed Away

Allah the Almighty says, "And those who are pregnant, their term is until they deliver their burden, and whoever fears Allah - He will make for him of his matter ease" (Quranic Verse). Imam Al-Shawkani states that the end of their waiting period is when they give birth. The apparent meaning of the verse suggests that the 'iddah for pregnant women, whether divorced or widowed, is until childbirth. This is the majority opinion, and it has been narrated from some of the Companions. A group of scholars holds that the pregnant

woman should observe the longer of the two terms; this opinion aligns with the majority. The Prophet (peace be upon him) permitted Subai'ah al-Aslamiyah to remarry after giving birth. The apparent meaning of the aforementioned verse makes no distinction between young and old, free women and slaves, those who menstruate, and those who do not; their 'iddah for death is four months and ten days (Abu-Ghazzeh, T. M., 1994). An alternative view holds that the 'iddah for a slave woman is half of that for a free woman, i.e., two months and five days. Some equate the 'iddah between a free woman and a slave woman in the event of death. Those who oppose this view cite a Quranic verse that clarifies that her 'iddah is half that of a free woman: "But if they should commit immorality, then upon them is half of what is upon free, chaste women for punishment. This is for those among you who fear falling into decadence, but being patient is better for you, and Allah is Forgiving and Merciful" (Quranic Verse).

The author of the Tafsir al-Manar, when discussing the 'iddah (waiting period) mentioned in the verse: "And those who no longer expect menstruation among your women - if you doubt, then their period is three months, and [also for] those who have not menstruated. And for those who are pregnant, their term is until they give birth. And whoever fears Allah - He will make for him of his matter ease" (Quranic Verse), asks whether this verse is specifically concerning non-pregnant women or is it specific to divorced women. The apparent understanding is the latter, as the discussion is about divorce and the chapter it is found in is specific to that topic (Moorman, P., 1978). The verse we are discussing is general to all women whose husbands have passed away. This is because Allah has made her 'iddah long and required her to mourn ('Hidad) for her husband for the duration of the 'iddah, while the Sunnah forbids mourning for anyone other than the husband for more than three days. This emphasizes the importance of marital rights.

However, the majority opinion is the former, stating that the 'iddah of a pregnant woman whose husband has died ends when she gives birth, even if it's a day or an hour after his death. This view is supported by the Hadith of Subai'ah al-Aslamiyah reported by Abu Dawood. She said that the Prophet (peace be upon him) gave her a ruling that her 'iddah ended when she gave birth, half a month after her husband's death. Narrations from Ali and Ibn Abbas (may Allah be pleased with them both) say that she should observe the longer of the two terms as a precaution. Therefore, the question arises: which verse is the specifier ('Mukhassas') for the other and should be acted upon?

Scholars have differing opinions on the matter of a man unable to fulfill the financial maintenance (Nafaqah) of his wife. Malik, Al-Shafi'i, Ahmad, Ishaq, Abu Hurairah, Ibn al-Musayyib, and Al-Hassan al-Basri opined that separation between the spouses is required. On the other hand, the Jurists of Ra'i, Umar ibn Abd al-Aziz, and a group of scholars argue that they should not be separated. It is then hoped that Allah, the Exalted, would bring about ease and comfort for them. Imran ibn Husayn was asked about a man who divorces his wife and then reconciles without witnesses for either the Talaq (divorce) or the Raj'ah (reconciliation). He stated that the man has divorced and reconciled not in accordance with the Sunnah. Witnesses should be present for both the divorce and the reconciliation. This is not to be neglected. According to Abu Hanifa, having witnesses (Ishhad) is recommended (Mandub). In the Shafi'i school, it is obligatory (Wajib) for Raj'ah and recommended for Talaq. The benefit of this testimony is to prevent discord, avoid allegations concerning the retention of the wife, and to ensure that if one of the spouses dies, the other cannot falsely claim that the marital bond was intact for inheritance purposes. It is said that witnesses are commanded for precaution, fearing that the wife might deny the Raj'ah, thus ending her 'Iddah and remarrying another man. Consequently, the 'Iddah is obligatory for a pregnant woman whose husband has passed away, and it concludes upon her giving birth. There is scholarly consensus on this, as relayed by Ibn al-Mundhir, Ibn Hazm, Ibn Abd al-Barr, and Ibn Qudamah.

3.6 Regulations Concerning 'Iddah (Waiting Period) with Regards to Housing and Alimony

The majority of jurists agree on the obligation of providing alimony and housing for the woman who has been divorced revocably during her 'iddah (waiting period). The Quran states, "Lodge them [in a section] of where you dwell out of your means and do not harm them in order to oppress them. And if they should be pregnant, then spend on them until they give birth. And if they breastfeed for you, then give them their payment and confer among yourselves in an acceptable way; but if you are in discord, then there may breastfeed for him [the father] another woman." The author of the book "Al-Waseet" in interpreting the 'iddah here in God's saying, "Lodge them," says: The rights of the woman in her waiting period are housing and alimony. Therefore, provide the divorcee with similar housing as per your condition and means, even if it is a room in the house you live in. Do not cause them harm by reducing their alimony or housing, forcing them to leave their residence, or giving up their alimony.

If the women are pregnant, it is unanimously obligatory to provide for them both financially and in terms of housing until they deliver their child. The Hanafis make it obligatory to provide housing and alimony for all divorced women, even if the divorce is irrevocable and whether or not they are pregnant, citing the aforementioned Quranic verse. The Maliki and Shafi'i schools obligate only housing, not alimony, for a woman divorced three times. The Hanbalis, however, do not obligate either housing or alimony for a woman divorced three times, citing the Hadith of Fatimah bint Qais reported in Muslim and Ahmad, where her husband divorced her three times and the Prophet (peace be upon him) said to her, "There is no alimony and no housing for you." Most scholars agree that this verse is applicable to pregnant divorcees and those in 'iddah due to the death of their husbands, citing the aforementioned Hadith of Subay'ah.

Ibn Al-Jawzi commented on the verse, "House them [in a section] from where you live out of your means". He said, "Means refers to capability and wealth. A person is said to be impoverished after he has wealth." Al-Firaa added, "According to what he finds if he can afford to, he should provide for her housing and alimony; if not, he should do so according to his means." Muhammad Najib Al-Rifa'i said, "Allah commands His servants when one of them divorces his wife to provide her with a residence until her 'Iddah (waiting period) is completed. He said: 'House them [in a section] from where you live out of your means' meaning according to your means." Ibn Abbas said, "It means according to your capacity." Qatada said, "If you find nothing but the side of your house, then house her there." The verse states, "And do not harm them to constrain them". Muqatil bin Hayyan says this means that the man should not harm her to make her ransom herself with her money or to leave his residence. Al-Thawri said, "He divorces her and then takes her back if a day remains."

The verse, " And if they should be pregnant, then spend on them until they give birth" is interpreted by many scholars as applicable in irrevocable divorce if she is pregnant, stating that he must provide alimony until she gives birth. Others argue that the entire context is about revocable divorce and the emphasis on the pregnant woman is because pregnancy often lasts longer, thus requiring the specification for providing alimony until childbirth. Furthermore, "And if they breastfeed for you, give them their payment and confer among yourselves amicably; but if you disagree, then another woman shall breastfeed [the child] for him". Meaning, if she has given birth and the waiting period is over, and if she breastfeeds, she deserves her payment. Therefore, Allah said, "And confer among yourselves amicably; but if you disagree, then another woman shall breastfeed [the child] for him." The verse continues, "Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing [period]. Upon the father is the mother's provision and their clothing according to what is acceptable. No person is charged with more than his capacity". Consensus on these points has been transmitted by:

Al-Shafi'i, Al-Jassas, Al-Mawardi, Ibn Hazm, and Ibn Abd Al-Barr (Abdul-Razzaq Al-Fahdawi, W. S., & Mejbek Al-Esawy, M. H., 2022).

3.7 Obligation of Alimony for a Woman Divorced through an Irrevocable Divorce if She Nurses Her Child

Allah Almighty says: "Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing [period]. The father must provide for their sustenance and clothing in a reasonable manner. No soul is burdened beyond its capacity. Neither a mother is harmed because of her child nor a father because of his child. An heir has similar obligations. If both parents agree on weaning by mutual consent and consultation, there is no sin upon them. If you wish to hire nursing mothers for your children, you are not at fault as long as you pay what you have promised, in a reasonable manner. Fear Allah and know that Allah observes what you do."

Imam Al-Baghawi states: "As for the woman in her 'iddah period after an irrevocable divorce be it through 'Khul' (mutual divorce), three pronouncements of divorce, or 'Li'an' (accusation of adultery), she is entitled to lodging whether she is pregnant or not, according to the majority of scholars." It is narrated from Ibn Abbas: "She is not entitled to lodging unless she is pregnant." This is the opinion of Hasan al-Basri, Ata, Al-Sha'bi, Imam Al-Shafi'i, Imam Ahmad bin Hanbal, and other jurists. There are also those who obligate lodging and alimony in all cases. This opinion is narrated by Ibn Mas'ud and supported by Ibrahim al-Nakha'i, Al-Thawri, and other scholars of opinion. The apparent interpretation of the Quran suggests that she is only entitled if she is pregnant, as Allah Almighty says: "Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing [period]. Upon the father is the mothers' provision and their clothing in a reasonable manner."

According to Mufti, M. M. A. R. D., & Rizwan, M. A. (2022), the evidence from the Sunnah: From Fatimah bint Qais that Abu Amro bin Hafs irrevocably divorced her while he was absent in Sam. He sent his representative to her with barley, which she rejected. He said, "By Allah, you have no claim to anything from us." She came to the Messenger of Allah, peace be upon him, and informed him of this. He told her, "You have no claim to alimony from him," and commanded her to observe her waiting period in the house of Umm Sharik. Then he said, "That is a woman who is frequented by my companions; stay with Ibn Umm Maktum, for he is a blind man where you can take off your clothes. When you are free from your waiting period, inform me." She said, "When I was free, I informed him that Muawiyah bin Abi Sufyan and Abu Jahm had proposed to me." The Messenger of Allah, peace be upon him, said, "As for Abu Jahm, he does not put down his staff from his shoulder, and as for Muawiyah, he is penniless with no wealth. Marry Usama bin Zaid." She said, "I disliked it." Then he said, "Marry Usama," so I married him, and Allah put much good in him, and I was pleased with him. As for a woman in a doubtful situation or whose marriage has been annulled due to a defect or option of annulment, she has no right to housing or alimony, even if she is pregnant (Syamsuddin, S., 2017).

As for the woman in her waiting period due to the death of her spouse, there is no alimony for her, whether she is pregnant or not, according to the majority of scholars. It has been reported that she is entitled to alimony from the estate if she is pregnant, until she gives birth; this is the opinion of Shurayh al-Shu'bi, al-Nakha'i, and al-Thawri. They differed regarding her housing. According to al-Shafi'i, there are two opinions: one is that she has no right to housing and can stay wherever she wants, which is also the opinion of Ali, Ibn Abbas, Aisha, Atta, Hasan al-Basri, and Abu Hanifa. The other opinion is that she has a right to housing, which is the opinion of Umar, Uthman, Abdullah ibn Masud, Abdullah ibn Umar; and Malik, Sufyan al-Thawri, Ahmad, and Ishaq also gave the same ruling, obligating housing for her.

Abu Ja'far al-Tabari explained the Quranic verse, "Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing period. Upon the father is their provision and their clothing according to what is acceptable" He said that if your women, who are separated from you, nurse your infants for a fee, then give them their wages for nursing them. Al-Dahhak said concerning breastfeeding: If someone takes responsibility for something, then the mother of the child has more right to it. If she wishes, she may breastfeed him, and if she wishes, she may leave it, unless he will not accept from anyone else, in which case she is compelled to breastfeed. Regarding the verse, "But if they give suck to the children for you, then give them their due payment and confer among yourselves in a reasonable way; but if you find yourselves in difficulties, let another woman suckle [the child] for the man," he said, this means to establish what is reasonable among you. If the man and woman find it difficult to breastfeed their child, then she is not obligated to, and he cannot force her; rather, he may hire another wet nurse for the child other than his separated wife.

3.8 Obligation of Alimony and Housing According to the General Rule

The jurists have unanimously agreed on this matter, as transmitted by Al-Shafi'i, Al-Jassas, Al-Mawardi, Ibn Hazm, and Ibn Abd al-Barr. Allah says, "Let the man of plenty expend of his plenty; and he whose provision is measured, let him expend of what Allah has given him. Allah does not burden any soul with more than He has given it; after hardship, Allah will bring ease" [Quranic verse]. Abu Ja'far al-Tabari's interpretation of this verse is that a man who is well-off should spend on his divorced wife if he has plenty of wealth. If he is wealthy, he should suffice his divorced wife, especially in the wages of breastfeeding the small child. Regarding the verse, "Let the man of plenty expend of his plenty; and he whose provision is measured, let him expend of what Allah has given him. Allah does not burden any soul with more than He has given it; after hardship, Allah will bring ease," it means if one's provision is tight, they should spend from what Allah has provided, in accordance with their means. Allah does not burden a soul with more than what He has given it. This extends to alimony obligated by kinship and relation. If one has plenty, then from his plenty; if one's sustenance is measured, then what Allah has provided within his capacity. Allah does not burden the poor with the obligations of the rich, nor anyone among His creation other than what is obligatory upon them. The verse, "Let the man of plenty expend of his plenty; and he whose provision is measured, let him expend of what Allah has given him. Allah does not burden any soul with more than He has given it; after hardship, Allah will bring ease," signifies that after hardship, ease will come, after tightness, there will be plenty, and after poverty, there will be wealth.

4. Discussion

The 'Iddah, or waiting period, is a significant concept in Islamic family law, as outlined. For divorced women who menstruate, the waiting period is set at three menstrual cycles, with some arguments among scholars regarding the precise interpretation of the Quranic verse (2:228). Typically, this waiting period is a time of reflection, allowing for the potential for reconciliation as well as ensuring clarity for issues such as financial support and custody. However, as most Islamic scholars argue, the 'Iddah could be complex depending on specific and different circumstances. In the case of women who do not menstruate due to young age or advanced age, scholars have differing opinions. While some argue that the waiting period remains incomplete until menstruation resumes, others suggest that it continues until menopause, followed by three months. These diverse and differentiated views highlight the flexibility of Islamic jurisprudence in accommodating various situations.

Subsequently, the 'Iddah also applies to widows, regardless of whether the marriage was completed. This requirement is based on a consensus among scholars and is also derived from the Quran. It provides a period for mourning and legal considerations, such as

inheritance. According to the Quran (2:228), menstruating women have three monthly periods before getting into a new marriage, whereas the required delay period for a non-menstruating woman is three lunar months. For pregnant women who have lost their husbands, 'Iddah typically continues until they give birth, yet there is some debate on the exact duration, whether until the birth itself or the longer of the two possible terms. This demonstrates the nuanced approach taken by Islamic scholars when addressing specific circumstances. Furthermore, the 'Iddah encompasses the provision of alimony and housing during the waiting period, particularly for pregnant women. This provision ensures that the financial and living needs of the divorced woman and her unborn child are met. While there is consensus on this matter among scholars, the specifics can vary, particularly when dealing with irrevocable divorce cases. All these are held in the Quran (Surah Al-Baqarah 2:222-228). Generally, the 'Iddah plays a pivotal role in Islamic family law, serving as a period of reflection and legal consideration during various life events, such as divorce and the passing of a spouse. It highlights the adaptability of Islamic jurisprudence in addressing the needs and circumstances of individuals in different situations while maintaining fundamental principles of justice and fairness.

5. Conclusion and Recommendations

The term "Iddah" refers to the waiting period a woman whose husband has passed away must observe, which lasts for four months and ten days. During this time, she is bound by regulations and etiquettes prescribed in Islamic Sharia. For a pregnant widow, the Iddah period concludes upon the birth of the child. The concept of "Hidad" refers to a woman, whose husband has passed away, observing certain manifestations of grief and sorrow during the period of Iddah. This includes avoiding the wearing of colorful and ornate clothing, refraining from applying fragrances, and not using facial cosmetics, among other things. The Iddah period for a widow is universally agreed upon by Islamic jurists, aiming to preserve her dignity, protect her rights, and uphold moral and ethical values. This seeks to serve both the religious and worldly interests of the woman. During the Iddah, it is permissible for a widow to engage in activities that are allowed outside of the Iddah period, such as speaking to women and Mahram men. However, she must adhere to the established Sharia guidelines. Societal awareness should be raised concerning the rules, principles, objectives, and wisdom of observing the Iddah. This could be accomplished through research, courses, studies, workshops, and seminars. Efforts should be consolidated to protect the dignity of the woman observing Iddah and her children, as a tribute to her and her late husband. All members of the community should commit to upholding etiquettes and virtues that soften hearts, refine souls, and foster love and affection.

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